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4 UNITED STATES DISTRICT COURT
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA
6 OAKLAND DIVISION
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8 ATHANASSIOS DIACAKIS, individually
9 and on behalf of all others similarly situated,

10 Plaintiff,

11 vs.

12 COMCAST CORPORATION, and DOES 1-
10, inclusive,

13 Defendants.
14

No: C 11-3002 SBA

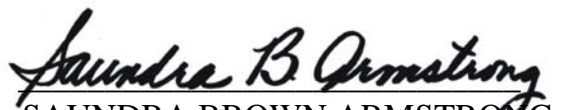
**ORDER DENYING RENEWED
STIPULATION TO CONTINUE
DISCOVERY AND OTHER
DEADLINES**

Dkt. 106

15 Before the Court is the parties' renewed stipulated request to continue discovery and
16 other deadlines. Dkt. 106. Aside from mentioning the pendency of the Plaintiff's motion
17 for class certification (which has since been resolved), the parties fail to explain why, in the
18 exercise of due diligence, they are unable to comply with the present pretrial schedule. See
19 Fed. R. Civ. P. 16(b)(4) ("Modifying a Schedule. A schedule may be modified only for
20 good cause and with the judge's consent."); Johnson v. Mammoth Recreations, Inc., 975
21 F.2d 604, 610 (9th Cir. 1992) ("The district court may modify the pretrial schedule 'if it
22 cannot reasonably be met despite the diligence of the party seeking the extension.'")
23 (citation omitted). Accordingly, the parties' renewed stipulated request to continue
24 discovery and other deadlines is DENIED. This Order terminates Docket 106.

25 IT IS SO ORDERED.

26 Dated: May 3, 2013

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28 SAUNDRA BROWN ARMSTRONG
United States District Judge